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H&RT BAA FAQs

HRT Technical Q&A (Document)

Acquisition Portal

- 2. Is there a sample NOI proposal format that can be used for reference?
- 3 Can images and other figures be included in the NOI and what font should be used for captions?
- 4. Will contracts awarded under the H&RT BAA be subject to Section 305 of the Space Act and if so will NASA agree to provide the contractor with an advance waiver permitting the contractor to own the inventions it creates?
- 5. Will NASA consider issuing a draft release prior to scheduling any formal release?
- 5. Will NASA require contractor's employees to have security clearance prior to reporting for work?
- 7. Where is the BAA and relevant information pertaining to the BAA located?
- 8. Is participation open to U.S. contractor's employees who are not U.S. citizens?
- 9. Will small business goals be uniformly applicable to all H&RT program elements?
- 10. Can a firm submit more than one NOI? In the Q&A at Industry Days it suggests that a firm submitting more than one NOI may only be selected for proposals on one NOI.
- 11. Can proposers include people from NASA centers (as long as they are not civil servants) on an
- 12. Will NASA revise their cost requirements (+/-10%) for NOI submissions?
- 13. Will the tech maturation BAA be a single proposal with multiple technology areas or individual proposals for each technology area?
- 14. The Industry Day charts show the CE&R BAA as being released on June 14th with an award date of September 1st and the H&RT BAA is being released in July with an award date of October 1st. Is NASA considering aligning the release of the CE&R BAA such that the release of the H&RT BAA follows the submittal of the CE&R BAA proposals?
- 15. The BAA Synopsis from June 29, 2004 states, "The NAICS Code and size Standard are 541710 and 1,000 employees". Is this the definition of a small businesses and if so are companies larger than 1,000 employees excluded from proposing on the BAA?
- 16. How will the funding for Government Task Agreements (GTA) under the upcoming HR&T BAA be handled?
- 17. NASA is encouraging company's to cost share in the industry day charts, what is the incentive for a contractor to propose cost share?
- 18. How will NASA evaluate the credibility of cost in proposals?
- 19. Does NASA have funds have allocated for each of the five Advanced Technology Programs & Technology Maturation Programs? Is it possible that some of the areas will not receive funding?
- 20. If a contractor proposes on the CE&R BAA will this in any way exclude them from proposing on the H&RT BAA?
- 21. What is meant by the range of TRL's for element programs, for example TRL range of 3 to 6?
- 22. What level of subsystem is contemplated and would a propulsion system subsystem which would include propellant, piping, the control system be appropriate for the H&RT response?
- 23. Are Technology Maturation Projects appropriate as options to advanced space technology projects? Example:

Base year -- AST Theme

Option 1 -- AST-TA

Option 2 -- TM Program

- 24. How are low TRL technologies being identified for a given spiral?
- 25. With regard to the technology readiness levels that were specified for the various programs, if

- you say a technology maturation program is from TRL 4 to 6 does that mean it has to have already achieved TRL 3 or has already achieved TRL 4?
- 26. Could you give some details on what happened with the intramural proposal selections, what kind of technology do you find you are going to get solutions form through that?
- 27. Regarding the tools and databases, particularly when it comes to new technologies in the IT. Do you envision supporting the other mission directives with that and also are you interested in improving the business processes associated with the systems?
- 28. Cryogenic propellant was mentioned a couple of times for the main in space engine. Is it necessary that it be cryogenic if a non cryogenic propulsion system can meet those requirements in a practical and affordable way and you also mention high energy space systems, if you have a system that is not high energy and it meets the requirements is it the high energy the important part, the cryogenic important part or is it the work that is produced is important?
- 29. Is the completion of the deliverable section of the NOI submittal form required? If so what is the weighting criteria for it?
- 30. Is it preferable to propose the development of a set of technologies to address an entire "specific area of interest" (which usually combines multiple disciplines), or a single technology that may have impact on a number of these areas?
- 31. Will any system design tools that support these technology activities be measured on a similar TRL schedule, and is there an expectation of discussing the commercialization potential of these tools in these proposals similar to the way SBIRs technology solicitations are crafted?
- 32. Will CCEI support software or just hardware?
- 33. If a waiver of inventions is requested after contract selection will NASA grant a waiver of inventions so the contractor will own inventions it creates or will NASA only consider a waiver of inventions? If NASA will only consider a waiver of inventions will NASA accept a proposal with a contingency whereby the offeror can withdraw from consideration (award) if approval is not granted?
- 34. Under the HESS Technology Element Program, High-Efficiency/Power and Low-Mass Electromagnetic (EM) Propulsion Systems theme, does the reference to output power greater than 500 kW imply that a single thruster of at least 500 kW is needed, or is there an interest in systems consisting of several lower-power thrusters that total 500 kW?
- 35. On page 9 paragraph 11, Past performance of Offeror's team. The past performance includes subcontracts over \$500,000. Does this contradict paragraph 14, g, on page 12 which states, "major subcontractors are defined as those subcontracts in excess of \$550,000 per year" and on page 14 which states, "with proposals exceeding \$550,000."?
- 36. Can one assume that the Prometheus Program will provide an energy rich environment for future missions and that our NOI concept can take advantage of this energy?
- 37. Is a formal Government Task Agreement or other formal commitment from NASA Centers required with the Notice of Intent?
- 38. Will failure to team with a NASA Center result in non-selection?
- 39. What's the position regarding ownership of the original intellectual property, are proposers automatically required to assign the patent rights to NASA? We're fine with NASA having a free license for future applications (assuming the project goes ahead), but would proposers still have the right to exploit the technology in other markets (e.g., for European based satellite projects). Would NASA be willing to help maintain the patent costs?
- 40. If UK sub-contractors are allowed, do we need to register the application or the company name with NASA's Office of External Relations?
- 41. For a proposal team, is collaboration with a partner from the European Space Agency considered a plus or a minus (or neither)?
- 42. What International Traffic in Arms Regulations (ITAR) rules apply to collaboration with a partner from the European Space Agency?
- 43. Many respondents plan to leverage technologies developed for DoD and therefore subject to ITAR control. Does NASA have a plan to control technologies/data subject to ITAR?
- 44. Do respondents have to identify ITAR-subject technical data to be used in the program?
- 45. If proposal as a private company were to involve a Russian launcher and the contractor were to use some or all of the funds received to procure flight assistance from that Russian launcher, would NASA anticipate that would be in violation of the Iran Non-proliferation Act (INA)?
- 46. NASA has requested that proposers write-in a primary theme for the project type. In the BAA under each element program (i.e. 1.2 Advanced Materials and Structural Concepts (AMSC)) they have listed different themes related to that element as shown below. Within each theme several topics of interest are also identified. Is it permissible to write in the identified "topics of interest" within a theme or should the primary theme be limited to the provided technical themes (i.e. a. Advanced Materials)?
 - a. Advanced Materials
 - b. Structural Concepts, Dynamics and Controls
 - c. Mechanisms and Interconnects
 - d. Flexible Fiber Systems
 - e. Smart' Materials and Structures
 - f. Space Environments and Effects
- 47. The HRT Notice of Intent submittal form (on-line) on the registration page, the Project Title field is character limited to about 50 characters. Is it be acceptable to abbreviate the Title on the registration page since the HRT BAA input Form Title is not character limited?
- 48. Under the project type section of the HRT BAA input there is a pull down menu for a secondary element. What is the purpose of indicating a secondary element? Will there be two areas of

- review, one for the primary and one for the secondary?
- 49. I'm ready to submit an NOI to the H&RT BAA but I'm confused as to what NASA is looking for under the headings of "Phase I Deliverables" and "Phase II Deliverables." What is NASA looking for here? Likewise, I'm confused as to how a proposer is to select "Secondary" project type. If a proposer is doing ASTP proposals, is the "secondary" a compatible program in TMP into which a proposer would hope to propose follow-on work at the conclusion of the ASTP work?
- 50. Intellectual property has been transferred to a university spin-out company which will act as the BAA project partner, i.e. performing a sub-contracting R&D role to who will perform the majority of work. As the spin-out is based in the United Kingdom, does NASA envisage any problems with it acting in this capacity, i.e. probably undertaking around 15% of the budgeted work? Does NASA feel it might jeopardize the approval of the project in any way, or would the proposer be advised to establish a U.S. company instead?
- 51. On page 2 of the BAA it states: "This BAA solicits research and technology development proposals from NASA investigators in support of...", has this statement been included in error?
- 52. Appendix C of the BAA seems to have been written for the internal NASA BAA. For instance, in section 2 under the Lead Individual it states "Name of Other Relevant NASA Personal". Is there an NOI specifically for the external BAA?
- 53. Will any system design tools that support these technology activities be measured on a similar TRL schedule?
- 54. Is there an expectation of discussing the commercialization potential of these tools in these proposals similar to the way SBIRs technology solicitations are crafted?
- 55. In responding to the cost portion of the proposal, is NASA looking for a tight range or within plus minus 10 percent and is it sufficient to say that it is within range of what is proposed?
- 56 International participation: The BAA says that "foreign participation will be on a 'no-exchange-funds' basis" but you have announced a 'direct funding waiver'. Please Clarify?
- 57 Page 37 of the pre-proposal conference slides mentions contracts and cooperative agreements, is the BAA open to grants?
- 58. In regards to the proposal outline, if a proposer is already a small business does the section for small business goals still apply?
- 59. The proposal outline has small business percentage goals; does this imply in each award that a company will have to have a small business partner?
- 60. It seems that NASA can fund foreign companies directly. What is the process for a U.S. prime and foreign sub-contractor?
- 61. Considering small business goals, if for example a proposal had 10 percent participation and one of the four categories is not met, is that considered non compliant?
- 62. Are NOIs protected as proprietary information and will they ever be made public?
- 63. How can small businesses announce their capability and intent to team up with the BAA participants?
- 64. Does the anticipated contract value ranges include the Government Task Agreements and will GTAs be funded through the contract?
- 65. How many past performance contracts need to be listed, especially in the NOI?
- 66. Is there a list of the H&RT pre-proposal attendees with contact information available to promote collaboration?
- The Industry Day presentation showed four categories under the TMP (page 38), while the BAA appears to have three TMP Categories (page19/20). It appears that the category for small (\$2-4M) design and definition studies has been deleted or at least merged with the infrastructure/carrier definition studies. Is it the correct interpretation that \$2-4M TFE design studies are only related to development of key infrastructures and carriers?
- 68. At Industry Day a clear description was given of how NASA partner funding should be included in the cost of the proposal. Is the small business goal of ten percent, the total cost of the proposal or of the total minus the NASA center funding?
- 69. What is a proposer supposed to classify themselves on item 4 of the NOI form if they don't fall under one of the following 4 categories "NASA Center," "Academia," "Private Industry," and "Non-Profit?"
- 70. What is required with the proposal cover page (reference Section III C. 1.)? Reference the BAA as follows:
 - **Proposal Cover Page**: Solicited Proposal Application, including certification of compliance with U.S. code (if applicable). Signature required. Please follow the instructions available at the OExS Acquisitions Portal to complete the proposal cover page information.
- 71. The Appendix D forms require cost to be summarized by phase by contract year. The GTA forms are prepared by the Government on a FY basis. How do we reconcile GTA cost to the BAA cost proposal form?

Is there a sample NOI proposal format that can be used for reference?

Yes, the industry briefing NOI chart will be updated with additional detail and posted via synopsis modification.

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Can images and other figures be included in the NOI and what font should be used for captions? N_{Ω}

Will contracts awarded under the H&RT BAA be subject to Section 305 of the Space Act and if so will NASA agree to provide the contractor with an advance waiver permitting the contractor to own the inventions it creates?

Yes, an advance waiver may be requested after selection.

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Will NASA consider issuing a draft release prior to scheduling any formal release? No, however updates to the June 18 industry briefing will be provided via synopsis modifications

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Will NASA require contractor's employees to have security clearance prior to reporting for work?

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Where is the BAA and relevant information pertaining to the BAA located? It will be posted on the following website: https://naccsli1.msfc.nasa.gov/ExplorationPortal

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Is participation open to U.S. contractor's employees who are not U.S. citizens?

Participation of foreign persons will be subject to the clause 1852.225-70 Export Licenses, shown below, which will be incorporated into any resultant contract from the BAA.

EXPORT LICENSES (FEBRUARY 2000)

- a. The Contractor shall comply with all U.S. export control laws and regulations, including the International Traffic in Arms Regulations (ITAR), 22 CFR Parts 120 through 130, and the Export Administration Regulations (EAR), 15 CFR Parts 730 through 799, in the performance of this contract. In the absence of available license exemptions/exceptions, the Contractor shall be responsible for obtaining the appropriate licenses or other approvals, if required, for exports of hardware, technical data, and software, or for the provision of technical assistance.
- b. The Contractor shall be responsible for obtaining export licenses, if required, before utilizing foreign persons in the performance of this contract, including instances where the work is to be performed onsite at [insert name of NASA installation], where the foreign person will have access to export-controlled technical data or software.
- c. The Contractor shall be responsible for all regulatory record keeping requirements associated with the use of licenses and license exemptions/exceptions.
- The Contractor shall be responsible for ensuring that the provisions of this clause apply to its subcontractors.

(End of clause)

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Will small business goals be uniformly applicable to all H&RT program elements?

Yes, the percentage goals will be the same. The proposed goals should meet or exceed 10 percent for Small Businesses broken down as 4 percent for Small Disadvantaged Businesses (SDB's); 2 percent for Women Owned Small Businesses (WOSB's); 0.5 percent for Historically Underutilized Business (HUB) Zone Small Businesses; and 0.5 percent for Veteran-Owned Small Businesses (VOSB)/Service.

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Can a firm submit more than one NOI? In the Q&A at Industry Days it suggests that a firm submitting more than one NOI may only be selected for proposals on one NOI.

Yes, a proposer must submit one NOI per proposal.

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Can proposers include people from NASA centers (as long as they are not civil servants) on an extramural NOI? Yes.

Will NASA revise their cost requirements (+/-10%) for NOI submissions? See pre-solicitation synopsis dated June 29, 2004.

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Will the tech maturation BAA be a single proposal with multiple technology areas or individual proposals for each technology area?

Individual proposals for each technology area.

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The Industry Day charts show the CE&R BAA as being released on June 14th with an award date of September 1st and the H&RT BAA is being released in July with an award date of October 1st. Is NASA considering aligning the release of the CE&R BAA such that the release of the H&RT BAA follows the submittal of the CE&R BAA proposals?

See the revised schedule for the release and award of both the CE&R and H&RT BAA posted June 29, 2004 via synopsis.

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The BAA Synopsis from June 29, 2004 states, "The NAICS Code and size Standard are 541710 and 1,000 employees". Is this the definition of a small businesses and if so are companies larger than 1,000 employees excluded from proposing on the BAA?

This is the size standard for what is classified as a small business, but does not restrict who can propose.

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How will the funding for Government Task Agreements (GTA) under the upcoming HR&T BAA be handled?

Internal to NASA.

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NASA is encouraging company's to cost share in the industry day charts, what is the incentive for a contractor to propose cost share?

Cost sharing is permitted, but not required.

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How will NASA evaluate the credibility of cost in proposals?

Price analysis and cost analysis including technical evaluation.

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Does NASA have funds have allocated for each of the five Advanced Technology Programs & Technology Maturation Programs? Is it possible that some of the areas will not receive funding? Allocation of funds will be determined by the selection process and there is expectation that all of the areas will receive funding.

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If a contractor proposes on the CE&R BAA will this in any way exclude them from proposing on the H&RT BAA?

No.

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What is meant by the range of TRL's for element programs, for example TRL range of 3 to 6? The technology/system being proposed should start at approximately the lower end of the TRL range and finish at the upper end of the TRL range following completion of the BAA element project.

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What level of subsystem is contemplated and would a propulsion system subsystem which would include propellant, piping, the control system be appropriate for the H&RT response?

The TRL range dictates the level of technology research in ASTP and TMP. Component level research occurs in ASTP and system level research in TMP. It is up to offeror to determine how this research will be carried out

within the constraints of his technical and management resources.

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Are Technology Maturation Projects appropriate as options to advanced space technology projects? Example:

Base year -- AST Theme Option 1 -- AST-TA

Option 2 -- TM Program

The H&RT program is looking for projects that will lie within the scope of the ASTP and begin a one-year Phase 1 study and subsequently qualify to go to Phase II development. Just because an ASTP project is successfully completed does not necessarily mean that it will automatically be placed in the TMP. Depending on how the H&RT portfolio is managed, ASTP completed projects will still need to be evaluated for consideration as TMP projects. As a minimum, this will be accomplished using the BAA process in order to maintain a comprehensive up-to-date portfolio for the current research spiral.

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How are low TRL technologies being identified for a given spiral?

The process for any technology identification is based on what we call a strategy-task-to-technology approach. This is basically a top down approach where at the high level you identify what are your basic strategic goals and objectives that you want to accomplish. Given these guidelines, you can then begin to identify the specific tasks that are needed achieving the goals and objectives. After accomplishing this, you can then define what flight element, systems and component technologies that are required for implementation. This approach also helps NASA to determine what technology deficiencies or gaps exist in order to make the exploration vision a reality.

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With regard to the technology readiness levels that were specified for the various programs, if you say a technology maturation program is from TRL 4 to 6 does that mean it has to have already achieved TRL 3 or has already achieved TRL 4?

The concept is that things going into technology maturation would be essentially at TRL 4 and would be progressing through the course of the full technology maturation project form TRL 4 to TRL 6. Any TFE project that exists TMP has to be at a TRL>=6 in order for Project Constellation to consider this technology for further development in its Exploration Systems Programs.

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Could you give some details on what happened with the intramural proposal selections, what kind of technology do you find you are going to get solutions form through that?

Results are posted on the Exploration Portal website.

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Regarding the tools and databases, particularly when it comes to new technologies in the IT. Do you envision supporting the other mission directives with that and also are you interested in improving the business processes associated with the systems?

Yes, we are anticipating and looking for these investments to yield databases of broad value to NASA, including information technologies.

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Cryogenic propellant was mentioned a couple of times for the main in space engine. Is it necessary that it be cryogenic if a non cryogenic propulsion system can meet those requirements in a practical and affordable way and you also mention high energy space systems, if you have a system that is not high energy and it meets the requirements is it the high energy the important part, the cryogenic important part or is it the work that is produced is important?

The technology themes mentioned in the High Energy Space Systems (HESS) Element Program are the areas that we feel have the most potential for H&RT.

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Is the completion of the deliverable section of the NOI submittal form required? If so what is the weighting criteria for it?

Yes. This information will help ascertain the appropriateness of the proposed deliverables. This information will be evaluated as part of the Technical Merit criteria as stated on page 16 of the BAA.

Is it preferable to propose the development of a set of technologies to address an entire "specific area of interest" (which usually combines multiple disciplines), or a single technology that may have impact on a number of these areas?

We are not requiring that responses cover an entire "specific area of interest". There is merit in addressing multiple tall poles in a single area to ensure the viability of a "complete" capability, but also in proposing breakthroughs that have the potential for broad applicability.

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Will any system design tools that support these technology activities be measured on a similar TRL schedule, and is there an expectation of discussing the commercialization potential of these tools in these proposals similar to the way SBIRs technology solicitations are crafted?

We are coordinating with our requirements office the details of developing a very strong systems design simulation base model that they have in mind. The development of this model is not part of this BAA. We are also in the process of developing a simulation based acquisition approach, which will be outlined in our systemengineering plan.

The details are also not part of this BAA. The detailed goals and objectives that are applicable to SBIR are somewhat different than the overall H&RT portfolio. You should refer back to the formulation plan and take a careful look at the overarching goals and objectives that we are interested in assuring that the technology investments that we make in the pursuit of the exploration vision have good value to the U.S. economy. This BAA is not geared towards developing any commercial technology.

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Will CCEI support software or just hardware?

CCEI will support software that is directly related to the particulars of the hardware it runs on. All software that is hardware independent falls under SISM or ASCT areas.

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If a waiver of inventions is requested after contract selection will NASA grant a waiver of inventions so the contractor will own inventions it creates or will NASA only consider a waiver of inventions? If NASA will only consider a waiver of inventions will NASA accept a proposal with a contingency whereby the offeror can withdraw from consideration (award) if approval is not granted?

All requests for advance waivers are considered when timely submitted. The NASA Inventions and Contributions Board normally will recommend grant of a request for advance waiver of domestic rights submitted prior to execution of contract or within 30 days after execution of the contract. While there are circumstances where the Board can find that the interests of the United States will be better served by restricting or eliminating all or part of the rights of the contractor, this rarely occurs. (See, 14 CFR 1245.104) If an advanced waiver is not granted the contractor can still petition NASA for waiver of each invention as they arise under the contract. Waivers are liberally granted. NASA does not accept proposals with contingencies. We encourage the contractor to submit the waiver request early so that it knows what the answer will be early in the process.

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Under the HESS Technology Element Program, High-Efficiency/Power and Low-Mass Electromagnetic (EM) Propulsion Systems theme, does the reference to output power greater than 500 kW imply that a single thruster of at least 500 kW is needed, or is there an interest in systems consisting of several lower-power thrusters that total 500 kW?

A system of multiple smaller thrusters with total output power of 500 kW is acceptable as long as the integrated performance of the multiple-thruster system is demonstrated.

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On page 9 paragraph 11, Past performance of Offeror's team. The past performance includes subcontracts over \$500,000. Does this contradict paragraph 14, g, on page 12 which states, "major subcontractors are defined as those subcontracts in excess of \$550,000 per year" and on page 14 which states, "with proposals exceeding \$550,000."?

No, data applies to two different categories in the proposal. One is for past performance and the other is for pricing submission.

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Can one assume that the Prometheus Program will provide an energy rich environment for future missions and that our NOI concept can take advantage of this energy?

Make sure your assumptions are clearly stated in your NOI and major dependencies of other programs.

Is a formal Government Task Agreement or other formal commitment from NASA Centers required with the Notice of Intent?

No, the offeror is only required to make a good faith effort to identify any collaboration with NASA Centers for the NOI. A Government Task Agreement will be required with the full proposal.

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Will failure to team with a NASA Center result in non-selection?

We will evaluate the appropriateness and suitability of the proposed project team partnership for the proposed project. There are no predetermined go/no-go criteria.

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What's the position regarding ownership of the original intellectual property, are proposers automatically required to assign the patent rights to NASA? We're fine with NASA having a free license for future applications (assuming the project goes ahead), but would proposers still have the right to exploit the technology in other markets (e.g., for European based satellite projects). Would NASA be willing to help maintain the patent costs?

The government only obtains rights to "subject inventions." A subject invention means any invention of the contractor conceived or first actually reduced to practice in the performance of work under the contract. Thus, if any existing invention ("original intellectual property") has already been reduced to practice it will not be considered a subject invention to which the Government obtains rights.

Specifically regarding inventions made (conceived or first actually reduced to practice) by foreign contractors the Government will obtain the full right, title and interest in and to each invention throughout the word, except the State in which the contract is to be performed. As to such State, the contractor grants to the Government an irrevocable, nontransferable, nonexclusive, paid-up license.

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If UK sub-contractors are allowed, do we need to register the application or the company name with NASA's Office of External Relations?

There is nothing in the BAA that requires such a move.

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For a proposal team, is collaboration with a partner from the European Space Agency considered a plus or a minus (or neither)?

Collaborations with ESA are not treated differently than any other proposals received for this BAA.

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What International Traffic in Arms Regulations (ITAR) rules apply to collaboration with a partner from the European Space Agency?

All ITAR and Export Administration Regulations (EAR) requirements, exemptions/exceptions, and prohibitions that are appropriate will apply. In the context of cooperation with ESA, there is no ITAR or EAR policy of denial. However, there are a number of EAR license exceptions that are applicable when considering cooperation with other partners, depending upon the particular technologies or hardware involved. Of course, the H&RT BAA is likely to involve more ITAR-controlled technologies/hardware than EAR-controlled technology. The ITAR rules that apply will, in all cases, depend upon the technology and the foreign participant.

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Many respondents plan to leverage technologies developed for DoD and therefore subject to ITAR control. Does NASA have a plan to control technologies/data subject to ITAR?

NASA controls transfers of technologies/technical data that are subject to export control (under the ITAR and EAR) through the NASA Export Control Program, NPD 2190.1 & NPR 2190.1. NASA contractors are, likewise, obliged to comply with the export control laws.

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Do respondents have to identify ITAR-subject technical data to be used in the program? Generally, respondents do not have to identify ITAR-subject related data. Please refer to the NASA FAR Supplement, section 1852.225-70 (Export Licenses) that provides as follows:

EXPORT LICENSES (FEBRUARY 2000)

- a. The Contractor shall comply with all U.S. export control laws and regulations, including the International Traffic in Arms Regulations (ITAR), 22 CFR Parts 120 through 130, and the Export Administration Regulations (EAR), 15 CFR Parts 730 through 799, in the performance of this contract. In the absence of available license exemptions/exceptions, the Contractor shall be responsible for obtaining the appropriate licenses or other approvals, if required, for exports of hardware, technical data, and software, or for the provision of technical assistance.
- b. The Contractor shall be responsible for obtaining export licenses, if required, before utilizing foreign persons in the performance of this contract, including instances where the work is to be performed onsite at [insert name of NASA installation], where the foreign person will have access to export-controlled technical data or software.
- The Contractor shall be responsible for all regulatory record keeping requirements associated with the
 use of licenses and license exemptions/exceptions.
- The Contractor shall be responsible for ensuring that the provisions of this clause apply to its subcontractors.

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If proposal as a private company were to involve a Russian launcher and the contractor were to use some or all of the funds received to procure flight assistance from that Russian launcher, would NASA anticipate that would be in violation of the Iran Non-proliferation Act (INA)?

It is difficult to predict what cases may be influenced by the Iran Non-proliferation Act (INA). The answer will depend on the specific technology being developed and the intended scope of the cooperation.

For instance where data derived from a human spaceflight testbed is combined with other research and eventually leads to and option for human spaceflight, the connection may be too attenuated to trigger INA restrictions. The answer depends on the specific technology being developed.

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NASA has requested that proposers write-in a primary theme for the project type. In the BAA under each element program (i.e. 1.2 Advanced Materials and Structural Concepts (AMSC)) they have listed different themes related to that element as shown below. Within each theme several topics of interest are also identified. Is it permissible to write in the identified "topics of interest" within a theme or should the primary theme be limited to the provided technical themes (i.e. a. Advanced Materials)?

- a. Advanced Materials
- b. Structural Concepts, Dynamics and Controls
- c. Mechanisms and Interconnects
- d. Flexible Fiber Systems
- e. Smart' Materials and Structures
- f. Space Environments and Effects

Use the provided technical themes listed above so that we can determine the relevance of what is being proposed.

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The HRT Notice of Intent submittal form (on-line) on the registration page, the Project Title field is character limited to about 50 characters. Is it be acceptable to abbreviate the Title on the registration page since the HRT BAA input Form Title is not character limited?

Adjust your title accordingly in order for NASA to identify it with your proposal.

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Under the project type section of the HRT BAA input there is a pull down menu for a secondary element. What is the purpose of indicating a secondary element? Will there be two areas of review, one for the primary and one for the secondary?

There will only be one NOI review and one proposal review. The use of the secondary selection is mainly to help NASA better determine if what is proposed is really relevant to H&RT goals and objectives. Aside from a primary impact, NASA needs to know what other significant areas of technology research development the proposed project will influence.

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I'm ready to submit an NOI to the H&RT BAA but I'm confused as to what NASA is looking for under the headings of "Phase I Deliverables" and "Phase II Deliverables." What is NASA looking for here? Likewise, I'm confused as to how a proposer is to select "Secondary" project type. If a proposer is doing ASTP proposals, is the "secondary" a compatible program in TMP into which a proposer would hope to propose follow-on work at the conclusion of the ASTP work?

Proposers should indicate deliverables as described in section C-2 of the BAA. The identification of secondary project types is required to facilitate the assigning of the appropriate evaluators. The secondary project types can point to compatible projects working with either more mature technologies or less mature technologies.

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Intellectual property has been transferred to a university spin-out company which will act as the BAA project partner, i.e. performing a sub-contracting R&D role to who will perform the majority of work. As the spin-out is based in the United Kingdom, does NASA envisage any problems with it acting in this capacity, i.e. probably undertaking around 15% of the budgeted work? Does NASA feel it might jeopardize the approval of the project in any way, or would the proposer be advised to establish a U.S. company instead?

This is only an intellectual property issue to the extent inventive activity is performed in the UK.

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On page 2 of the BAA it states: "This BAA solicits research and technology development proposals from NASA investigators in support of...", has this statement been included in error?

The statement has been amended to read: "This BAA solicits research and technology development proposals from external NASA investigators in support of the following H&RT Programs".

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Appendix C of the BAA seems to have been written for the internal NASA BAA. For instance, in section 2 under the Lead Individual it states "Name of Other Relevant NASA Personal". Is there an NOI specifically for the external BAA?

This NOI applies to the external BAA. Part 1-3 requires you to list the Key individuals. Other than the Principal Investigator, the key individuals may be NASA individuals. Part 2a requires you to provide the summaries of all the key individuals, including your NASA partners.

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Will any system design tools that support these technology activities be measured on a similar TRL schedule?

No, system design tools will not be measured on a similar TRL scale, Reference Section VIII.5 of the BAA. It is not NASA's intention to change the scope of the BAA in answering this question.

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Is there an expectation of discussing the commercialization potential of these tools in these proposals similar to the way SBIRs technology solicitations are crafted?

The detailed goals and objectives that are applicable to SBIR are somewhat different than the overall H&RT portfolio. The H&RT formulation plan outlines overarching goals and objectives that promote sound technology investments that will allow NASA to pursue its exploration vision, and at the same time have a sound positive impact to the U.S. economy.

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In responding to the cost portion of the proposal, is NASA looking for a tight range or within plus minus 10 percent and is it sufficient to say that it is within range of what is proposed?

NASA is looking for a range on the white paper. On the final proposal, NASA is expecting a proposers full proposal would be the basis for the contract and expect a proposer to have full confidence in that number.

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International participation: The BAA says that "foreign participation will be on a 'no-exchange-funds' basis" but you have announced a 'direct funding waiver'. Please Clarify?

See section 2.3 of the BAA, a proposer can request for funding or have a sponsoring government provide the funding.

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Page 37 of the pre-proposal conference slides mentions contracts and cooperative agreements, is the BAA open to grants?

This BAA is only open to contracts and cooperative agreements.

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In regards to the proposal outline, if a proposer is already a small business does the section for small business goals still apply?

A small business plan will not be required but NASA would like a company to identify any small business partners.

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The proposal outline has small business percentage goals; does this imply in each award that a company will have to have a small business partner?

A proposer who is a large business will have a subcontracting plan and will have goals to meet during the contract as a percent of the contract value.

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It seems that NASA can fund foreign companies directly. What is the process for a U.S. prime and foreign sub-contractor?

The same rules apply, whether it is a prime or a sub.

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Considering small business goals, if for example a proposal had 10 percent participation and one of the four categories is not met, is that considered non compliant?

NASA expects that all goals are met and a proposer would get a weakness in the evaluation to the extent that the proposer didn't meet some of the goals. However, it is not a go/no go deficiency were a proposer is not eligible for award.

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Are NOIs protected as proprietary information and will they ever be made public? The NOIs are protected like a proposal and they will not be released to the public.

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How can small businesses announce their capability and intent to team up with the BAA participants? Contact the H&RT pre-proposal attendees listed on NASA's website http://exploration.nasa.gov.

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Does the anticipated contract value ranges include the Government Task Agreements and will GTAs be funded through the contract?

The GTA is part of the project cost and will be captured in the GTA. The money will stay internal to NASA and flow to the centers directly.

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How many past performance contracts need to be listed, especially in the NOI?

The H&RT BAA doesn't specify for NOIs but does for full proposals, see section III.C.11 of the BAA.

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Is there a list of the H&RT pre-proposal attendees with contact information available to promote collaboration?

Yes, a list of attendees is posted on NASA's web site http://exploration.nasa.gov.

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The Industry Day presentation showed four categories under the TMP (page 38), while the BAA appears to have three TMP Categories (page19/20). It appears that the category for small (\$2-4M) design and definition studies has been deleted or at least merged with the infrastructure/carrier definition studies. Is it the correct interpretation that \$2-4M TFE design studies are only related to development of key infrastructures and carriers?

TFE design studies are not just related to development of key infrastructures and carriers, see BAA definition located on Appendix A-21.

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At Industry Day a clear description was given of how NASA partner funding should be included in the cost of the proposal. Is the small business goal of ten percent, the total cost of the proposal or of the total minus the NASA center funding?

The small business goal of ten percent applies to the total contract value.

What is a proposer supposed to classify themselves on item 4 of the NOI form if they don't fall under one of the following 4 categories "NASA Center," "Academia," "Private Industry," and "Non-Profit?" "Non-Profit" under Item 4 of the NOI form has been changed to "Non-Profit/Other" to include those who did not fall under one of the original categories, which also includes other Government agencies.

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What is required with the proposal cover page (reference Section III C. 1.)?

Your signature on a scanned cover page which may be uploaded into the files on the website signifies your certification of compliance with U.S code (if applicable) (refer to previous Q&A for definition of certifications).

Although the specific format is up to the offeror we also ask that you include on your proposal cover page, along with the signature, some relevant information such as: Title, Control no., Principal Investigator, Organization submitting, and Budget for Phase I and Phase II. This will assist the evaluation team in sorting the numerous proposals expected.

Note: See the amended BAA for information that will be requested on the webpage when you initiate the submission process.

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The Appendix D forms require cost to be summarized by phase by contract year. The GTA forms are prepared by the Government on a FY basis. How do we reconcile GTA cost to the BAA cost proposal form?

For clarification, at each Phase (Phase 1 and 2 - by options) provide the proposed GTA amounts (Project Level Costs = Contract Level Costs + GTA costs). This may require discussions with the NASA Center involved providing the GTA form. A supplemental page to the GTA section may be attached to show this reconciliation and this will be part of the Appendix B and will not be part any page count. It is not required to break down the GTA costs by WBS. It may be shown in total on the summary sheet by phase.

In addition: To reemphasize a previous question and answer.

64. Does the anticipated contract value ranges include the Government Task Agreements and will GTAs be funded through the contract?

The GTA is part of the project cost and will be captured in the GTA. The money will stay internal to NASA and flow to the centers directly.

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- + Freedom of Information Act
- + The President's Management Agenda
- + FY 2003 Agency Performance and Accountability Report
- + NASA Privacy Statement, Disclaimer, and Accessibility Certification
- + President's Commission on Moon, Mars and Beyond (PDF)



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